IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1875 OF 2007

Vishwanath Babanrao Gosavi. ...Applicant.

Versus

The State of Maharashtra ...Respondent.

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Ms.Rupali Deo-Sathe, Adv. i/b. S.P.Hulyalkar, Adv. for the Applicant.
Mr.S.S.Pednekar, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 19th June, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned APP for the State.

2. The applicant is seeking anticipatory bail in C.R.No.87 of 2007 of Khed Police Station, District - Pune. The said case is under Sections 498-A, 304-B of IPC.

3. The applicant is the brother of the husband of deceased Chaya. The husband of deceased Chaya and the present applicant used to abuse, threat and beat Chaya and used to cause mental and physical torture to her on account of demand of money. Chaya stated about this fact to her mother i.e the complainant as well as other relatives.

This was prior to February, 2007. Thereafter, again on 24.5.2007 Chaya telephoned her mother and told her that again her husband and her brother-in-law (applicant) had beat her and they were stating that she should get Rs.10,000/- from her mother and if she did not get the said money she would be murdered. On the next day, body of Chaya was found in the well.

4. The learned Advocate for the applicant submitted that the wife of the applicant is ill and she is bedridden and the applicant has a minor son and there is no one to lookafter the family. However, it is seen that the applicant is residing in a joint family along with his mother, another brother, wife and other persons. Hence, this cannot be a ground to release the applicant on anticipatory bail.

5. The material on record clearly implicates the present applicant. The death of Chaya occurred within a year of the marriage. Looking to all these facts, I am not inclined to grant anticipatory bail to the applicant.

6. Application is rejected.

(SMT.V.K.TAHILRAMANI,J.)